

RECEIVED

OCT 24 2005

DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 21-07309

Date of Priority: December 29, 1982

Maximum Diversion Volume: 30.0 AF

Comes now SEELEY BROTHERS
C/O ALVIN H SEELEY
PO BOX 654

ASHTON ID 83420 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 21-07309, and requests that the permit be changed as follows:

Source: WILLOW CREEK

Tributary: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION FROM STORAGE	04/01 to 10/31	30.0 AF
IRRIGATION STORAGE	01/01 to 12/31	30.0 AF

LOCATION OF POINTS OF DIVERSION:

WILLOW CREEK NW¼NE¼NW¼ Sec. 14, Twp 09N, Rge 42E, B.M., FREMONT County
WILLOW CREEK SW¼SW¼SE¼ Sec. 11, Twp 09N, Rge 42E, B.M., FREMONT County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 42E 11												5.0	21.0	4.0	10.0	16.0	56.0
09N 42E 14		34.0			23.0	20.0	28.0										105.0
09N 42E 15	X			14.0									15.0			17.0	48.0
															L 1		

Total Acres: ~~209~~

207

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 42E 11									X			X			X		
09N 42E 14		X			X												

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 18th day of October, 2005.

*Seeley Brothers by
Alvin H. Seeley*
(Signature)

per
corres.
of
10/21/05
KW

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FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee \$50⁰⁰ Receipted by M # C07940 Date 10.24.05

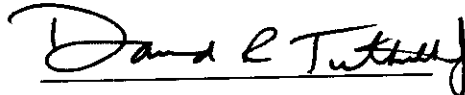
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 21-07309 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
2. The right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this 28th day of October, 2005.


for **KARL J. DREHER**
Director